

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

January 16, 2013
6:00 P.M.

Mayor Michael W. Tucker called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Kibler, Lombardi, McCaffrey, Fogle, Schrader, and Genewick.

RECESS

Recess for public input.

011613.1

APPROVAL OF MINUTES

On motion of Alderman McCaffrey, seconded by Alderman Lombardi, the minutes of the Annual Meeting of January 2, 2013 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE MAYOR

1/16/13 Mayor Michael W. Tucker – Upon the request and recommendation of the Corporation Counsel and pursuant to Section 20 of the Charter, The Police Chief and his subordinates are removed from the office of City Marshall.
Received and filed

FROM THE CITY CLERK

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments.
Referred to the Finance Committee.

Communications (which have been referred to the appropriate City officials)

12/31/12 Ed Sandusky, Optimist Club of Lockport – request permission to conduct the annual Arts and Crafts Show on June 29th and 30th, 2013.
Referred to the Committee of the Whole.

1/15/13 Linda E. Conlin, Niagara County Fair Committee – request permission to erect a banner to advertise the 2013 Niagara County Fair.
Referred to the Committee of the Whole.

MOTIONS & RESOLUTIONS

011613.2

By Alderman Genewick:

Resolved, that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills, and services to be paid on January 18, 2013.

Seconded by Alderman Kibler and adopted. Ayes 6.

011613.3

By Alderman Genewick:

Resolved, that claims authorized for payment by the Director of Planning and Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman Lombardi and adopted. Ayes 6.

011613.4

By Alderman Kibler:

Resolved, that the Lockport City Code §183-4, B. Fines. be amended by increasing all current fines at all penalty levels as follows:

Violation Class A	Fine	Late 5 Business Days	Late 15 Business Days
After 2:00 a.m.	\$30.00	\$50.00	\$75.00
Permit only	\$30.00	\$50.00	\$75.00
No parking	\$30.00	\$50.00	\$75.00
No standing	\$30.00	\$50.00	\$75.00
Blocking driveway	\$30.00	\$50.00	\$75.00
Blocking sidewalk	\$30.00	\$50.00	\$75.00
Left wheels to curb	\$30.00	\$50.00	\$75.00
Overtime (2-hour, 1-hour, 30 and 15 minute zones)	\$30.00	\$50.00	\$75.00
Uninspected	\$30.00	\$50.00	\$75.00
Miscellaneous	\$30.00	\$50.00	\$75.00
Class B			
Double parking	\$40.00	\$60.00	\$85.00
Blocking fire hydrant	\$40.00	\$60.00	\$85.00
Class C			
Handicapped zone	\$50.00	\$70.00	\$95.00

A fine of \$125.00 will be imposed for all unpaid tickets that result in a warrant being issued by the Lockport City Court

And, be it further resolved, that said amendment be effective upon adoption.

Seconded by Alderman McCaffrey and adopted. Ayes 6.

011613.5

By Alderman Schrader:

Whereas, the existing three blower units were replaced at the Wastewater Treatment Plant for more efficient units, and

Whereas, said blowers may have value to another municipality or as scrap value, now it therefore be it

Resolved, that the Director of Engineering is hereby authorized and directed to sell at public auction, to the highest bidders, said blower units, and be it further

Resolved, that the City Clerk is authorized and directed to advertise for same.

Seconded by Alderman Fogle and adopted. Ayes 6.

011613.6

By Alderman Schrader:

Resolved, that permission be and the same is hereby granted the Optimist Club of Lockport to conduct their Annual Lockport Optimists Arts and Craft Show on June 29th and 30th, 2013 from 10:00 A.M. until 5:00 P.M. (street closing from 8:00 A.M. until 7:00 P.M.) with the following provisions:

- (1) The Lockport Optimist Club shall issue exhibitor's permits to arts and crafts exhibitors, vendors and peddlers, and to insure public safety and order and to avoid overcrowding of the exhibit areas, no other exhibits, displays, vendors or peddlers shall be permitted within the show area, whether located on public or private property, and the Lockport Optimist Club shall enforce this ban with the cooperation of the Lockport Police Department.
- (2) The Police Department is hereby directed to enforce the removal of all concessionaires, vendors, or peddlers from the show area not possessing an exhibitor's permit.
- (3) The show area shall include the blocks on Main Street from Washburn Street west to Saxton Street.
- (4) The Lockport Optimist Club shall file a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, subject to the approval of the Corporation Counsel, and be it further

Resolved, that the Director of Engineering is hereby authorized and directed to arrange for delivery and pick-up of City barricades and trash receptacles as needed, and be it further

Resolved, that permission is granted the Optimist Club to use the Police Garage for storage of a golf cart overnight on Friday and Saturday night, June 28th and 29th, 2013 subject to the approval of the Chief of Police.

Seconded by Alderman Genewick and adopted. Ayes 6.

011613.7

By Alderman Fogle:

Resolved, that pursuant to their request, New Era Park is hereby granted permission to use the baseball field at Outwater Park for The New Era Cap Classic baseball tournament subject to approval of the schedule by the Highways & Parks Department and New Era Park filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Lombardi and adopted. Ayes 6.

011613.8

By Alderman Kibler:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Eugene "Skimo" Kearns, a former City of Lockport Alderman who recently passed away.

Seconded by Alderman Schrader and adopted. Ayes 6.

011613.8A

By Alderman Lombardi:

Resolved, that pursuant to the request of Terry William Dobbins, property owner of 78 Rogers Avenue, Lockport, NY, permission is hereby granted to erect and maintain a fence in the City's right-of-way at 78 Rogers Avenue subject to the following provisions:

that upon motion of the Common Council, duly adopted by a majority vote only, and thirty days notice from the City Clerk, the fence must be removed,

filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, leaving the City free and clear of all liability in connection therewith,

payment of the revocable permit fee of \$100.00 renewable annually.

Seconded by Alderman Genewick and adopted. Ayes 6.

By Alderman Kibler:

Resolved, that the reading of the foregoing resolution be and the same is hereby waived.

Seconded by Alderman McCaffrey and adopted. Ayes 6.

011613.8B

By Alderman Kibler:

AMENDED RESOLUTION TERMINATING URBAN RENEWAL RESTRICTIONS

WHEREAS, the City is the successor in interest and title to Lockport Urban Renewal Agency, and

WHEREAS, the canonically erected parishes of Saint Patrick (Lockport), Saint Mary (Lockport), Saint Anthony (Lockport), and Saint Joseph (Lockport) were merged canonically, effective February 3, 2008, in accord with Canon 121 of the Code of Canon Law, into one parish under the title of All Saints Parish, Lockport NY, and

WHEREAS, All Saints Roman Catholic Parish of Lockport, New York now serves as the surviving religious corporation resulting from the canonical merger of said parishes and now serves the former faith communities of Saint Joseph (Lockport) and Saint Mary (Lockport) by said canonical merger, and

WHEREAS, St. Mary's Roman Catholic Church and St. Joseph's Roman Catholic Church are in the process of transferring title from The Catholic Society of St. Mary's Church, a/k/a "The Trustees of the Catholic Society of Saint Marys Church Lockport", and title from St. Joseph's Roman Catholic Church Society of Lockport, N.Y. to All Saints Roman Catholic Parish of Lockport, New York, and

WHEREAS, the Warranty Deed from the Lockport Urban Renewal Agency to St. Joseph's Roman Catholic Church Society of Lockport, New York, Inc. dated August 9, 1974, and recorded August 13, 1974 in Liber 1560 of Deeds at page 1174 with the Niagara County Clerk and the Warranty Deed from the Lockport Urban Renewal Agency to Catholic Society of Saint Mary's Church dated February 27, 1975 and recorded on March 4, 1975 in Liber 1567 of Deeds at page 546 with the Niagara County Clerk contain building and use restrictions and provide for revesting of title in the event of certain violations, and

WHEREAS, the City wishes to terminate the above Building and Use Restrictions and Revesting clauses, and

NOW THEREFORE, the Mayor be and is hereby authorized to execute a Termination and Release Agreement among City of Lockport, successor in interest and title to the Lockport Urban Renewal Agency ("City"); St. Joseph's Roman Catholic Church Society of Lockport, N.Y. , named as "St. Joseph's Roman Catholic Church Society of Lockport, New York, Inc." in a Warranty Deed recorded in the Niagara County Clerk's Office on August 13, 1974 in Liber 1560 of Deeds at Page 1174; The Catholic Society of St. Mary's Church, a/k/a "The Trustees of the Catholic Society of Saint Marys Church Lockport", named as "Catholic Society of Saint Mary's Church" in a Warranty Deed recorded in the Niagara County Clerk's Office on March 4, 1975 in Liber 1567 of Deeds at Page 546; and All Saints Roman Catholic Parish of Lockport, New York ("Church") to terminate all Covenants, Conditions, Building and Use Restrictions and Revesting Clauses contained in both of the above-referenced deeds and to release the property of the Church from the same.

Seconded by Alderman Schrader and adopted. Ayes 6.

011613.9

ADJOURNMENT

At 6:15 P.M. Alderman McCaffrey moved the Common Council be adjourned until 6:00 P.M., Wednesday, February 6, 2013.

Seconded by Alderman Kibler and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk